

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ERNEST MORRIS	:	
Petitioner,	:	
	:	CIVIL ACTION
v.	:	NO. 15-1352
COMMONWEALTH OF	:	
PENNSYLVANIA	:	
Respondent.	:	

**ORDER**

AND NOW this 24<sup>th</sup> day of January 2017, upon careful and independent consideration of Ernest Morris' Petition For Writ of Habeas Corpus and supporting memoranda of law (Doc. Nos. 1-6, 4 and 8), the Response in Opposition (Doc. No. 17), Morris' Reply (Doc. No. 20), the Report and Recommendation of U.S. Magistrate Judge Richard A. Lloret (Doc. No. 23), Petitioner's Objections (Doc. No. 25), the Commonwealth's Response to Petitioner's Objections (Doc. No. 32), Petitioner's Traverse (Doc. No. 33), and Petitioner's Notice of Certain Facts (Doc. No. 34), it is hereby ORDERED as follows:

1. The Report and Recommendation of Magistrate Judge Richard A. Lloret is APPROVED and ADOPTED as set forth in this Court's accompanying Memorandum and the caveat contained therein at Section IV(B)(5);
2. Petitioner's Petition for Writ Habeas Corpus is DENIED and DISMISSED with prejudice;
3. Petitioner's renewed request for an evidentiary hearing (Doc. No. 21), is DENIED as moot;
4. No Certificate of Appealability shall issue under 28 U.S.C. § 2253(c)(1)(A) because "the applicant has [not] made a substantial showing of the denial of a constitutional right[.]" under 28 U.S.C. § 2253(c)(2), since he has not demonstrated that "reasonable jurists" would find my

“assessment of the constitutional claims debatable or wrong.” *Slack v. McDaniel*, 529 U.S. 473, 484 (2000); and,

5. The Clerk of Court shall mark this case CLOSED.

BY THE COURT:

/s/ C. Darnell Jones, II J.